

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2002-393-E - ORDER NO. 2003-643  
OCTOBER 27, 2003

IN RE: Joint Petition of Mid-Carolina Electric	)	ORDER APPROVING
Cooperative, Inc. and South Carolina Electric	)	PETITION FOR
& Gas Company for Assignment of Territory	)	ASSIGNMENT AND
in Newberry County and Reassignment of	)	REASSIGNMENT
Territory in Lexington and Richland	)	
Counties.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Joint Petition for Assignment and Reassignment of Territory submitted by Mid-Carolina Electric Cooperative, Inc. (Mid-Carolina) and South Carolina Electric & Gas Company (SCE&G)(together, the Joint Petitioners) for assignment of certain territory in Newberry County, South Carolina, and reassignment of territory in Richland and Lexington Counties, South Carolina. The Joint Petition is filed pursuant to S.C. Code Ann. Section 58-27-610, et seq. (1976 and Supp. 2002). The Joint Petitioners assert that they are both electric suppliers pursuant to S.C. Code Ann. Section 58-27-610(1)(1976). The Joint Petitioners also note that this Commission may assign to electric suppliers areas outside the corporate limits of municipalities and that are more than 300 feet from the lines of electric suppliers, as per S.C. Code Ann. Section 58-27-640 (1976). Further, upon agreement of the affected electric suppliers, the Commission may reassign portions of previously assigned service areas, pursuant to S.C. Code Ann. Section 58-27-650 (1976).

SCE&G and Mid-Carolina have agreed to the reassignment of territory in 13 parcels of land within Richland and Lexington Counties, and the assignment of two parcels of land in Newberry County that have been heretofore unassigned. The Joint Petitioners have submitted a map of portions of Newberry, Lexington, and Richland Counties to illustrate these requests to this Commission. This map is attached as Exhibit A to the Petition and to this Order.

The specific requests for assignment and reassignment are described in the Petition as follows.

Mid-Carolina and SCE&G request that the Commission assign in Newberry County:

- a. To Mid-Carolina a parcel of undeveloped land consisting of approximately 504 acres located approximately two miles northwest of the Town of Chapin and situated south of Interstate Highway 26;
- b. To SCE&G a parcel of undeveloped land consisting of approximately 507 acres located approximately two miles northwest of the Town of Chapin and situated north of Interstate Highway 26;
- c. The location and description of both parcels is shown on Exhibit B attached to the Petition and to this Order.

Mid-Carolina and SCE&G request that the Commission reassign to Mid-Carolina four parcels of land in Richland County, which parcels of land are now assigned to SCE&G, as follows:

- a. Approximately 130 acres adjacent to the Town of Irmo, including the Audubon Oaks Subdivision, shown on Exhibit C attached to the Petition and to this Order;
- b. Approximately 190 acres at the intersection of Broad River Road and Kennerly Road, including the Carson Hills subdivision, shown on Exhibit D attached to the Petition and to this Order;
- c. Approximately 57 acres along the western side of Lykes Lane, including Winrose Place and part of Riverwalk subdivisions, as shown on Exhibit E attached to the Petition and to this Order;
- d. Approximately 11 acres at the intersection of West Park and Laurelhurst Drives within the West Park Office Complex; as shown on Exhibit F attached to the Petition and this Order.

Further, Mid-Carolina and SCE&G request that the Commission reassign to Mid-Carolina the following six parcels of land in Lexington County, which parcels of land are now assigned to SCE&G, as follows:

- a. Approximately 11 acres in the Covington Oaks subdivision located off Westwood Drive one-half mile from the Town of Chapin, as shown on Exhibit G attached to the Petition and this Order;
- b. Approximately 40 acres located along White River Road about four miles southwest of the Town of Chapin, as shown on Exhibit H attached to the Petition and this Order;

- c. Approximately 65 acres on the eastern side of Shore Road, including all of Pintail Point subdivision, about seven miles north of the Town of Gilbert, as shown on Exhibit I attached to the Petition and this Order;
- d. Approximately 100 acres on the western side of Counts Ferry Road about five miles northwest of the Town of Lexington, as shown on Exhibit J attached to the Petition and to this Order;
- e. Approximately 49 acres located five miles north of the Town of Gilbert and which is part of the Kelsey Glen subdivision, as shown on Exhibit K attached to the Petition and this Order;
- f. Approximately 31 acres located about two miles northeast of the Town of Pelion and which is part of the Deer Moss subdivision, as shown on Exhibit L attached to the Petition and to this Order.

Lastly, Mid-Carolina and SCE&G request that the Commission reassign to SCE&G the following three parcels of land in Lexington County, which parcels of land are now assigned to Mid-Carolina, as follows:

- a. Approximately 1.5 acres in the Walberg subdivision and approximately 17 acres in the Forty Love subdivision; both of these parcels are located on or near Indian Fork Road about three miles southwest of the Town of Chapin, as shown on Exhibit M attached to the Petition and to this Order;
- b. Approximately 40 acres on the western side of Founders Road and part of the Founders Estate subdivision located about three miles from the

Town of Pelion, as shown on Exhibit N attached to the Petition and to this Order.

The Joint Petitioners allege that no current customers of Mid-Carolina or SCE&G are affected or inconvenienced in any way by the changes proposed by them. The Joint Petitioners also allege that no facilities or territories of any other electric suppliers are affected by the proposed changes. Further, the Joint Petitioners allege that each is fully capable of furnishing adequate and dependable electric service in the areas that each now serve and would serve upon the Commission's granting of the Petition.

In addition, the Joint Petitioners state that they have considered the public convenience and necessity in their negotiations for assignment and reassignment of these parcels of land and assert that the Commission's approval of the Petition will be in the public interest.

Finally, the Joint Petitioners request that the Commission treat the Petition as an affidavit and to determine the matter solely on the basis of the filing, unless there are Protests or Petitions to Intervene. We would note that there have been no Protests or Petitions to Intervene in this matter.

In summary, the Joint Petitioners request assignment to each of Mid-Carolina and SCE&G one parcel of land in Newberry County; reassigning from SCE&G four parcels of land in Richland County to Mid-Carolina; reassigning nine parcels of land in Lexington County to SCE&G and Mid-Carolina as such assignments and reassignments are shown on Exhibits A through N to the Petition; and amending the Territorial

Assignment maps to reflect the assignments and reassignments as shown on Exhibits A through N.

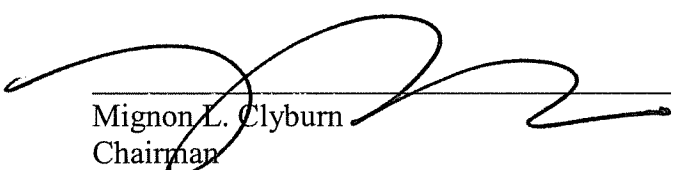
Since there are no Protests or Petitions to Intervene, we will proceed to determine the matter solely on the basis of the sworn filing. We have examined this matter, and we believe that the Joint Petitioners have correctly stated the law governing this matter. Clearly, both the Joint Petitioners are electric suppliers under the jurisdiction of this Commission, as per S.C. Code Ann. Section 58-27-610(1) (1976). Further, this Commission does have the authority to assign to electric suppliers areas outside the corporate limits of municipalities and that are more than 300 feet from the line of electric suppliers, as per S.C. Code Ann. Section 58-27-640 (1976). Lastly, we concur with the statement by the Joint Petitioners that, upon agreement of the affected electric suppliers, the Commission may reassign portions of previously assigned service areas, as per S.C. Code Ann. Section 58-27-650 (1976).

Accordingly, we grant the Petition and the proposed assignments and reassignments of the various parcels of land as proposed by the Joint Petitioners and shown on the various exhibits attached to the Petition and to this Order. There has been no showing that any current customers of Mid-Carolina or SCE&G are affected or inconvenienced in any way by the changes proposed by the Joint Petitioners. Further, we concur that no facilities or territories of any other electric suppliers are affected by the changes that the Joint Petitioners propose. We also agree that each of the Joint Petitioners is fully capable of furnishing adequate and dependable electric service in the areas that each now serve and would serve upon this Commission's granting of the Petition.

In addition, we agree that approval of the Petition is in the public interest. We agree that the Joint Petitioners considered the public convenience and necessity in their negotiations for assignment and reassignment of these parcels of land. Obviously, each of the Joint Petitioners believes that it can serve the newly assigned and reassigned parcels in a manner consistent with the public convenience and necessity, and we agree with them.

In summary, we grant the Petition as filed. We also hold that the Joint Petitioners shall file a new territorial assignment map capturing the approved modifications. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn  
Chairman

ATTEST:



Bruce F. Duke  
Deputy Executive Director

(SEAL)

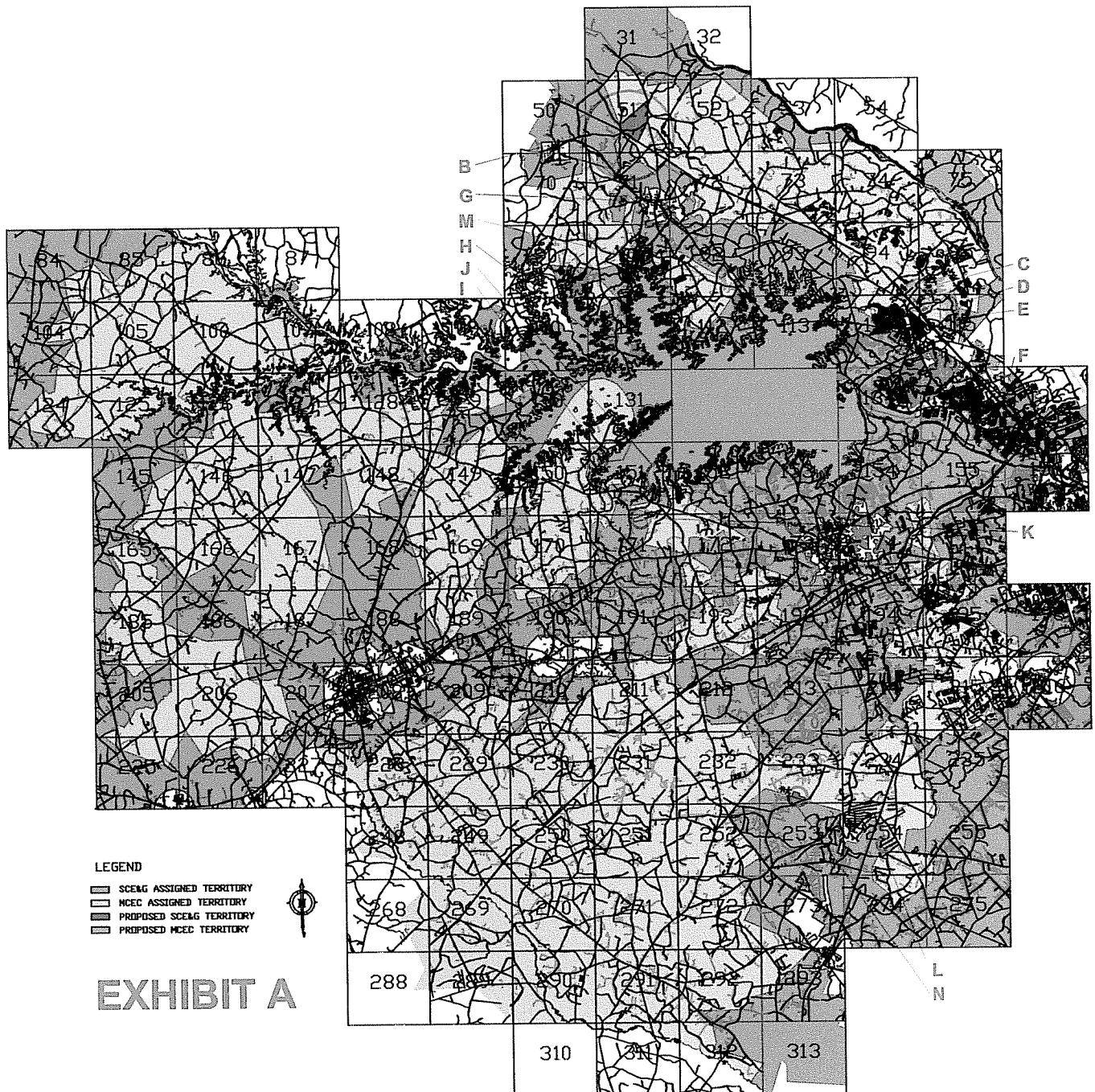


ILLUSTRATION OF EXHIBIT A  
DOCKET NUMBER 2002-393-E  
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## EXHIBIT B

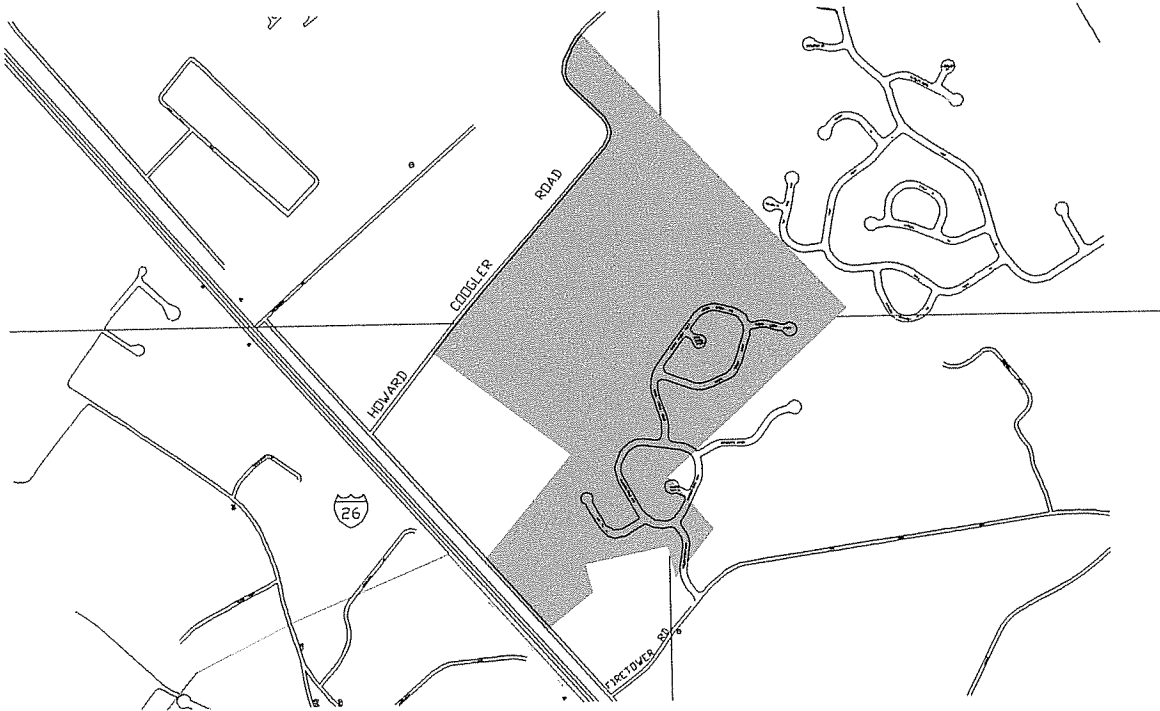
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This unassigned territory is located in Newberry County about two miles northwest of the town of Chapin. The red shaded area contains approximately 507 acres and would be assigned to SCE&G. The green shaded area contains approximately 504 acres and would be assigned to MCEC.

## EXHIBIT C

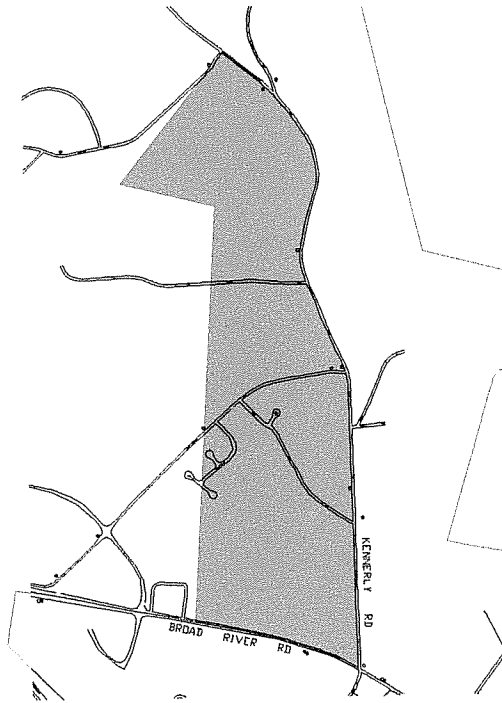
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This area, presently assigned to SCE&G, is located in Richland County adjacent to the town of Irmo. It contains approximately 130 acres, including the Audubon Oaks subdivision, and would be reassigned to MCEC.

## EXHIBIT D

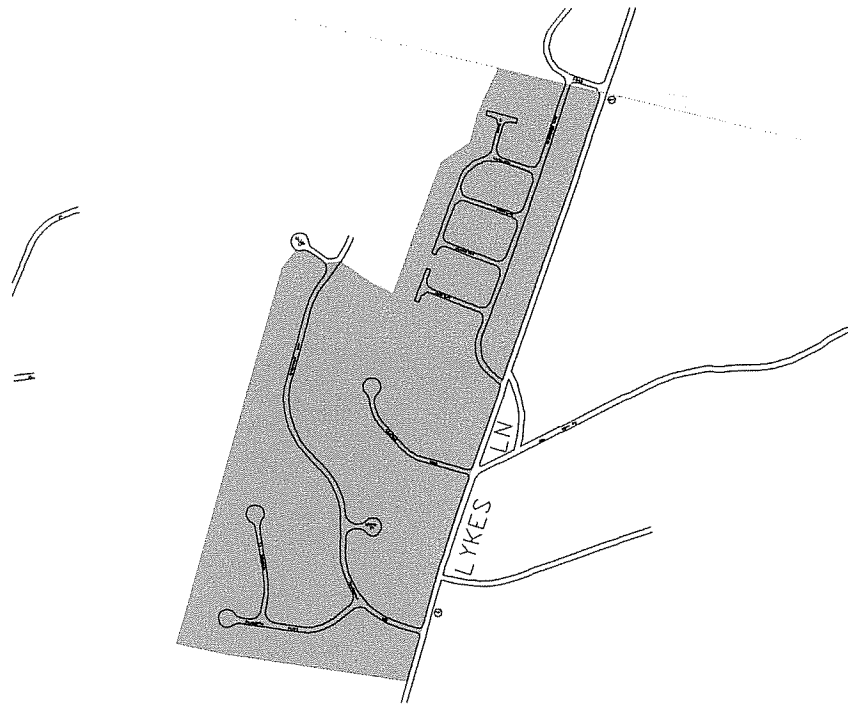
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This area, presently assigned to SCE&G, is located in Richland County at the intersection of Broad River Road and Kennerly Road. It contains approximately 190 acres, including the Carson Hills subdivision, and would be reassigned to MCEC.

## EXHIBIT E

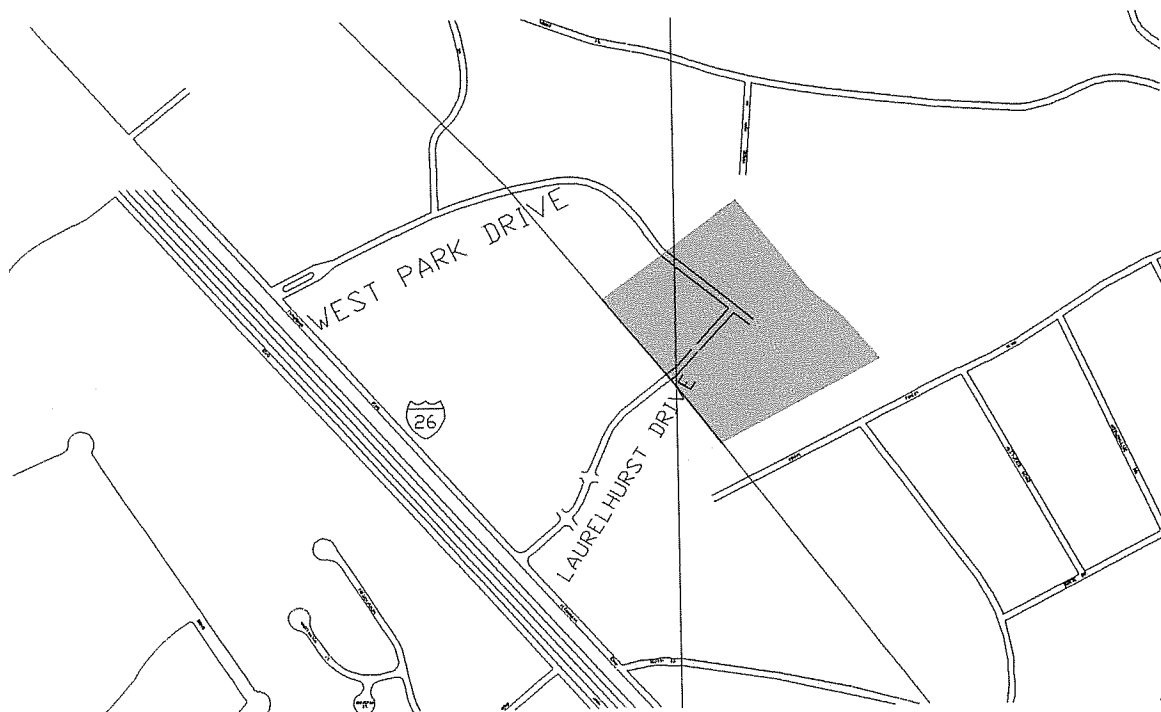
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This area, presently assigned to SCE&G, is located in Richland County along the western side of Lykes Lane. It contains approximately 57 acres, including Winrose Place subdivision and part of Riverwalk subdivision, and would be reassigned to MCEC.

## EXHIBIT F

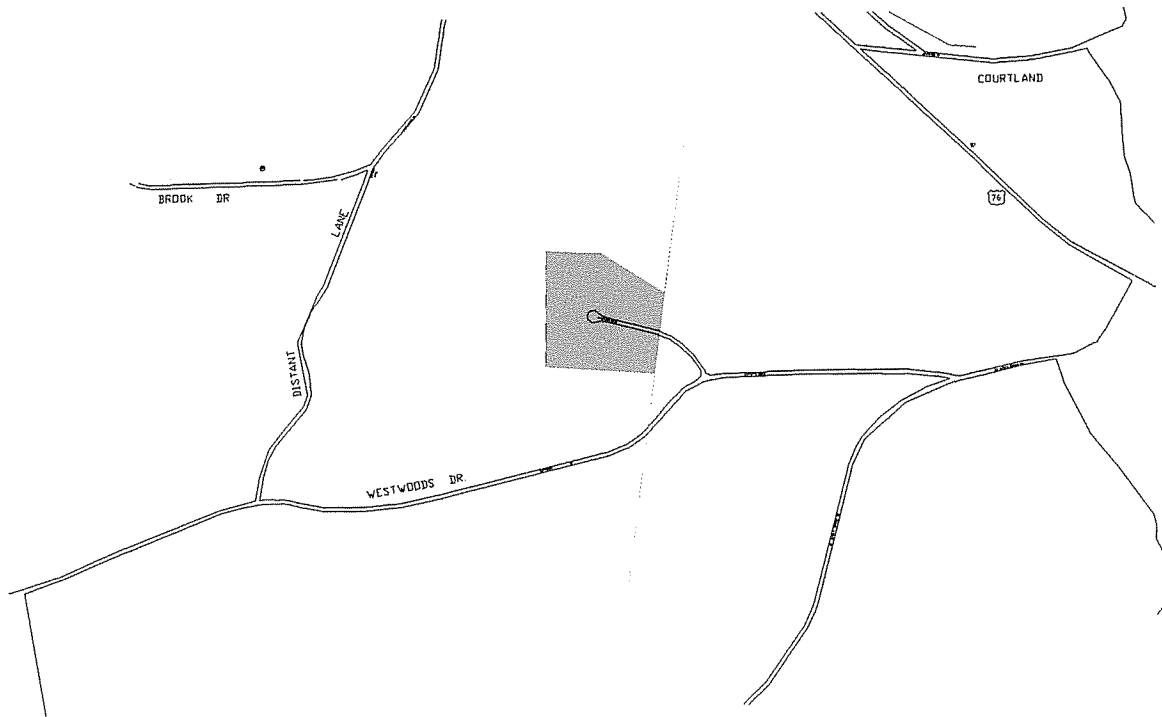
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This area, presently assigned to SCE&G, is located in Richland County within the West Park Office Complex. It contains approximately 11 acres and would be reassigned to MCEC.

## EXHIBIT G

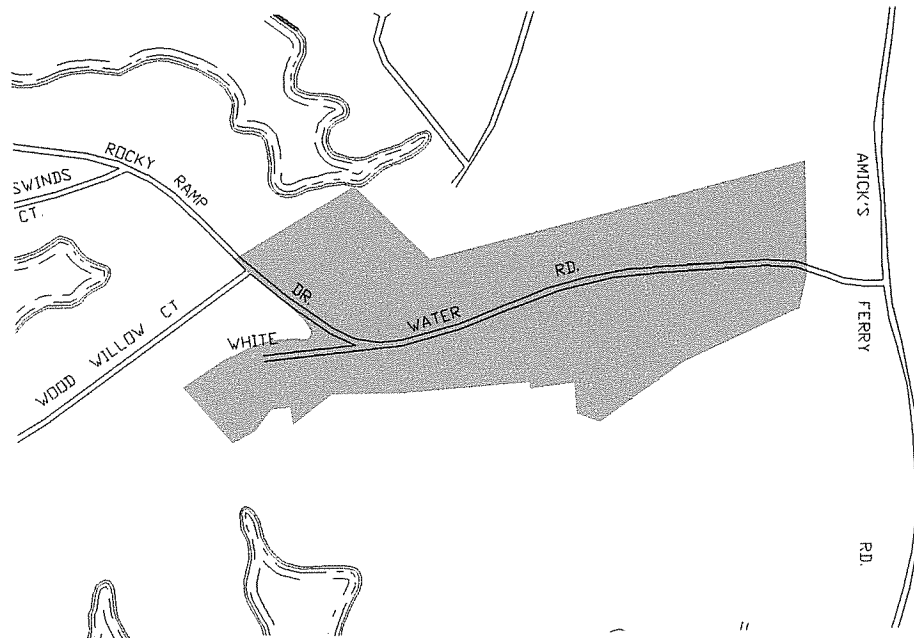
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This area, presently assigned to SCE&G, is in the Covington Oaks subdivision located off Westwoods Drive in Lexington County about a half mile west of the town of Chapin. It contains approximately 11 acres and would be reassigned to MCEC.

## EXHIBIT H

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This area, presently assigned to SCE&G, is located along White Water Road in Lexington County about four miles southwest of the town of Chapin. It contains approximately 40 acres and would be reassigned to MCEC.

## EXHIBIT I

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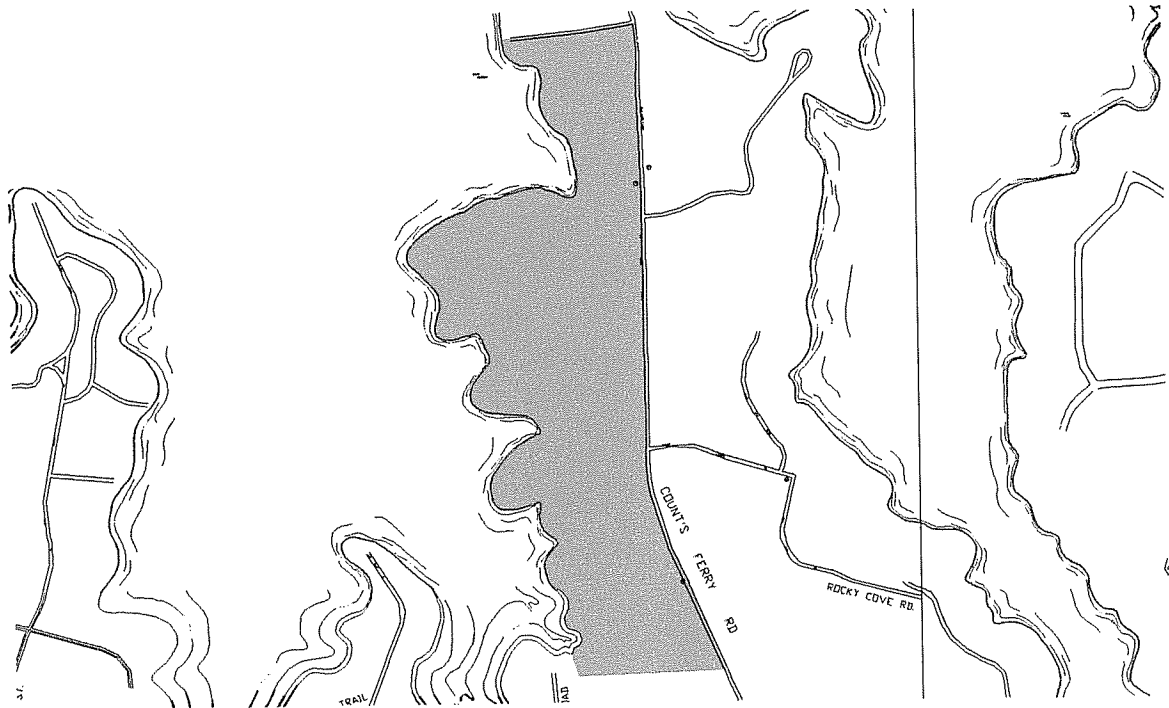


This area, presently assigned to SCE&G, is located in Lexington County about seven miles north of the town of Gilbert on the eastern side of Shore Road. It contains approximately 65 acres, which includes all of Pintail Point subdivision, and would be reassigned to MCEC.



## EXHIBIT J

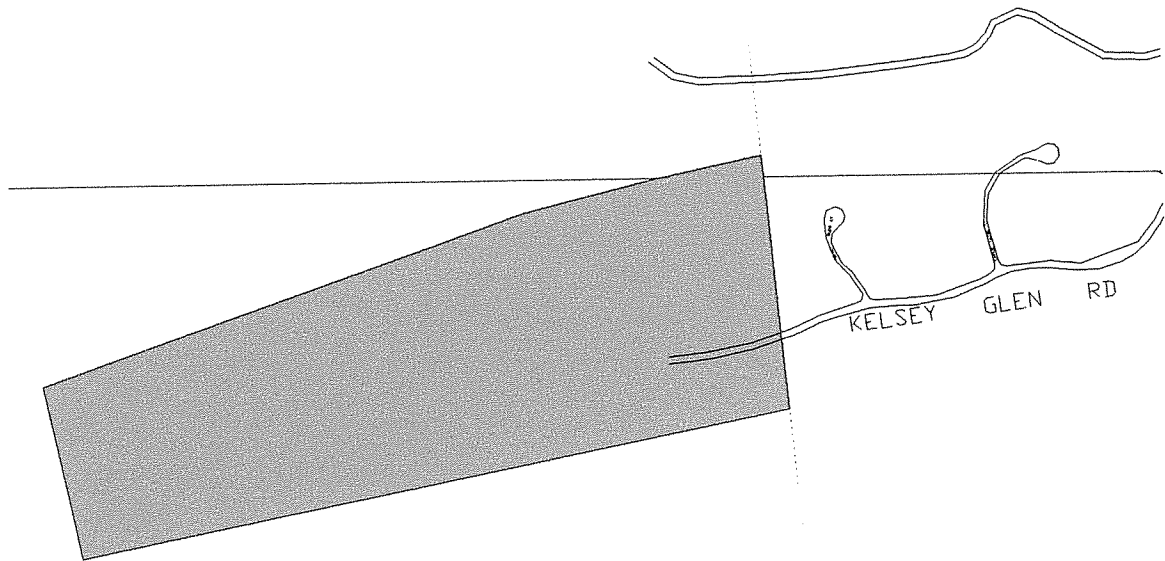
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This area, presently assigned to SCE&G, is located in Lexington County about five miles northwest of the town of Lexington on the western side of Counts Ferry Road. It contains approximately 100 acres and would be reassigned to MCEC.

## EXHIBIT K

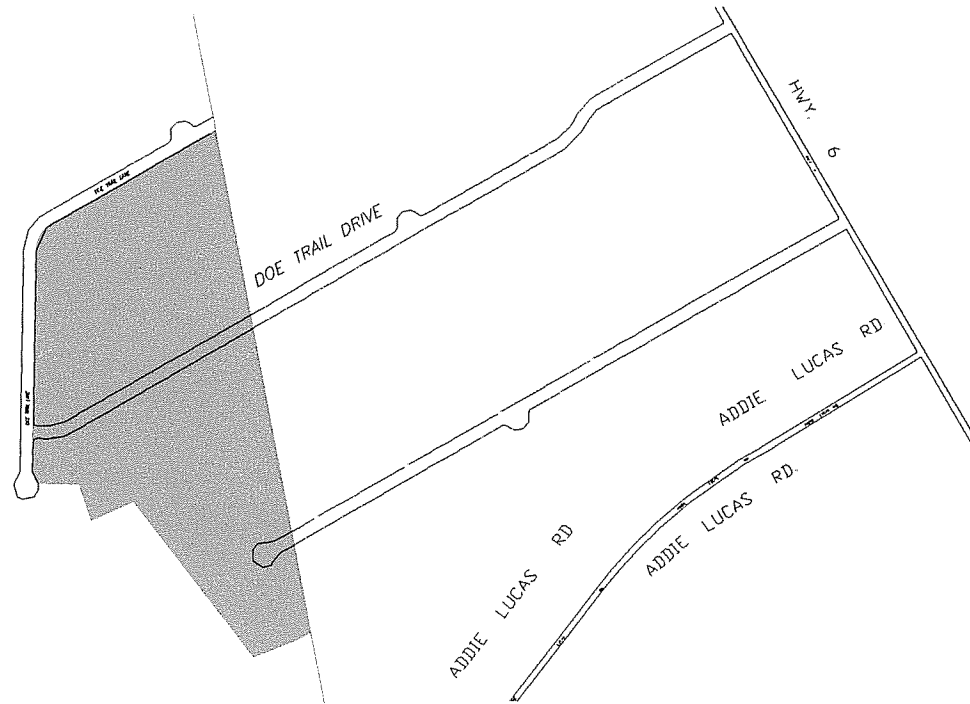
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This area, presently assigned to SCE&G, is located in Lexington County about 5 miles north of the town of Gilbert and is part of the Kelsey Glen subdivision. It contains approximately 49 acres and would be reassigned to MCEC.

## EXHIBIT L

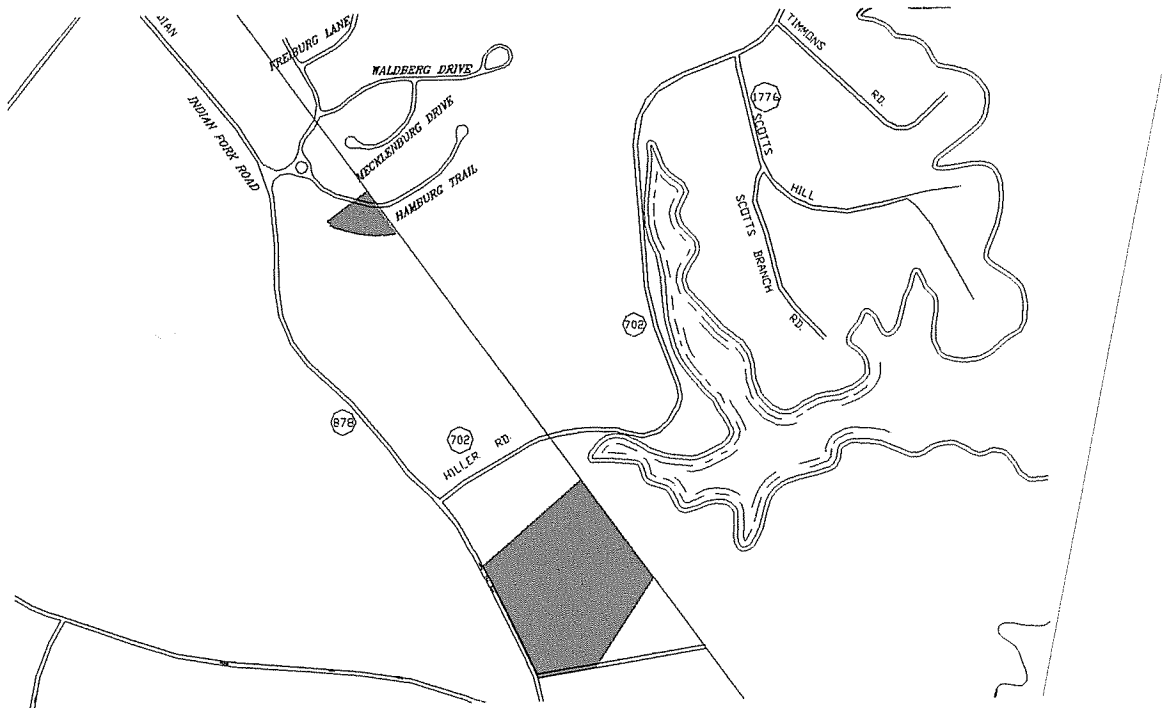
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This area, presently assigned to SCE&G, is located in Lexington County about two miles northeast of the town of Pelion and is part of the Deer Moss subdivision. It contains approximately 31 acres and would be reassigned to MCEC.

## EXHIBIT M

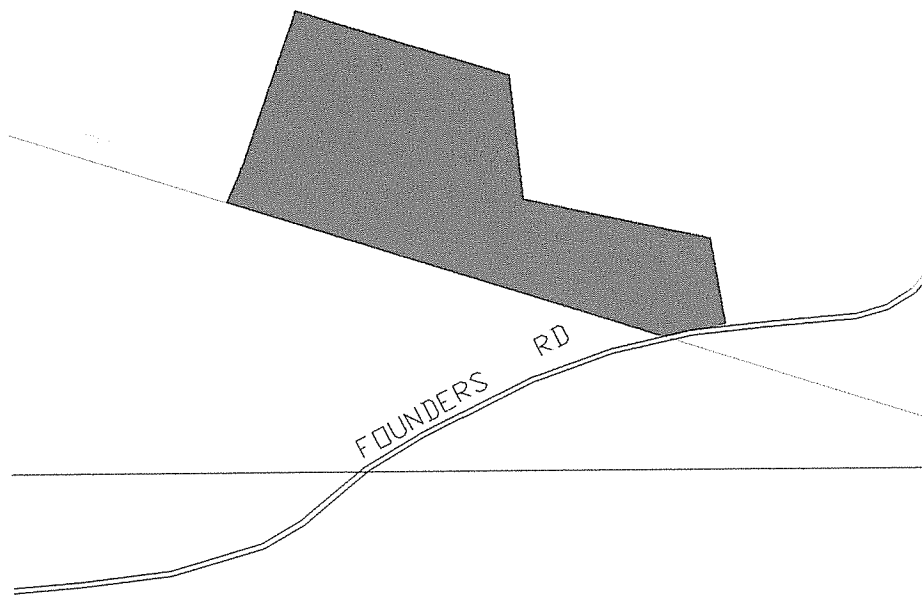
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These two areas are located on or near Indian Forks Road in Lexington County about three miles southwest of the town of Chapin, and they are presently assigned to MCEC. The smaller area contains approximately 1.50 acres and is located in the Walberg subdivision. The larger area contains approximately 17 acres and is located in the Forty Love subdivision. Both of these areas would be reassigned to SCE&G.

## EXHIBIT N

Order No. 2003-643  
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This area, presently assigned to MCEC, is located in Lexington County about three miles north of the town of Pelion on the western side of Founders Road and is part of the Founders Estate subdivision. It contains approximately 40 acres and would be reassigned to SCE&G.